

CLOSED

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

WARREN GORE,	:	
	:	
Petitioner,	:	
	:	Crim. A. No. 90-304 (SRC)
v.	:	
UNITED STATES OF AMERICA,	:	ORDER
	:	
Respondent.	:	
	:	

Chesler, U.S.D.J.

This matter having come before the Court on a motion by *pro se* Petitioner Warren Gore seeking appointment of counsel [Docket Entry No. 36], and a motion filed by the United States of America (hereinafter “the Government”) to dismiss [Docket Entry No. 33] a petition for relief pursuant to the writ of *audita querela*, 28 U.S.C. § 1651, (“the Petition”) filed by Petitioner to vacate, set aside or correct his sentence; and the Petitioner having opposed the Government’s motion to dismiss; and the Court having considered the parties’ written submissions in connection with these motions; and for the reasons expressed in the Opinion filed herewith,

IT IS on this 20th day of February, 2009,

ORDERED that the Government’s motion to dismiss the Petition [Docket Entry No. 33] is **GRANTED** and the Petition is **DISMISSED** without prejudice; and it is further
ORDERED that Petitioner’s application for appointment of counsel [Docket Entry No. 36] is **DENIED**; and it is further

ORDERED that this case is **CLOSED**.

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge